

a good bill for the country and a good bill for Michigan.

I am pleased the Senate is passing this critical bill today. Unfortunately, this has been delayed for over 20 months and Congress has passed six TEA-21 extensions. It is my hope that we will not have to pass a seventh and this bill will be completed before the end of the month. We have already lost one spring construction season in Michigan, and we certainly don't want to lose another.

During the budget debate, I worked with Senator TALENT on a successful amendment to help the Senate produce a well-funded highway bill and keep all the funding options on the table. This amendment was included in the final budget resolution, and I am pleased to say it helped pave the way for the additional \$11 billion that was added to the Senate bill.

As my colleagues know, this bill isn't just about improving our roads, transit systems, and buses, but it is also about creating jobs. The Department of Transportation estimates that for every \$1 billion of highway spending, we are creating 47,500 new jobs, and this generates more than \$2 billion in economic activity.

Mr. President, we need this bill. Michigan needs this bill. Over the last 4 years, Michigan has lost jobs. The SAFETEA bill will create good-paying jobs and help thousands of Michigan families make ends meet. So it is absolutely critical we pass this bill today.

We are not talking about minimum-wage jobs, we are talking about well-paying jobs that help Michigan families pay their mortgages, save for retirement, and pay for their children's education. The SAFETEA bill will create over 59,000 jobs in Michigan alone.

Mr. President, this delay has also cost Michigan additional highway funding that we desperately need. Our communities are growing, congestion is getting worse, and our roads are worn down through increased wear and tear, but we are still working under funding formulas that are over 7 years old.

In fact, Detroit ranks ninth nationally for having the worst traffic congestion. That is even worse than the delays in Boston and Philadelphia.

The Senate bill would provide Michigan with over \$6.65 billion in highway funding and \$600 million in transit investment to help address our congested roads and increase bus service throughout our State. This also is desperately needed.

We cannot fix these problems without a well-funded highway bill. Unfortunately, the House TEA-LU doesn't provide the resources we need to address our aging roads and transit systems. This also would mean fewer jobs for Michigan and the country.

I also add that the Senate bill continues to move us forward for Michigan to get its fair share. We are not there in terms of dollar for dollar, and I will continue to fight in every Transpor-

tation bill until we get there. But we need to move forward so Michigan gets a better share in this bill and a better opportunity to have the resources and jobs we need.

As this bill goes to conference with the House, I urge my colleagues to stand behind the Senate bill. Once again, this Senate will be passing a bill that is better than what has been passed in the House. It is more fair. I am very hopeful we will stand together on a bipartisan basis and insist that the Senate version ultimately be the version that is passed.

We also need for the bill to be fair and for it to meet the needs of our communities, and we need to make sure we are creating as many jobs as possible. It is time to invest in the best possible resources for our Nation's transportation needs. I am pleased that because of the bipartisan effort in the Senate we will be having a vote today on final passage of this desperately needed bill. Hopefully, we will see it going to the President in a form that is fair for Michigan, for all of our States, and that it is something that will address the future needs of our country.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### UNANIMOUS CONSENT AGREEMENT—H.R. 3

Mr. INHOFE. Mr. President, I ask unanimous consent that the consecutive votes in relation to the pending amendments on the highway bill begin at noon today, with the additional time equally divided as before, and that no second-degree amendments be in order prior to the votes in relation to the pending amendments; provided, that following the first vote, the Senate then stand in recess as under the previous order, with the remaining votes occurring after the recess. I also ask unanimous consent that there be 2 minutes of debate equally divided before each of the votes in the stacked series.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### AMENDMENT NO. 706 WITHDRAWN

Mr. INHOFE. Mr. President, I ask unanimous consent that amendment No. 706 be withdrawn.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. INHOFE. Mr. President, I further ask unanimous consent that following the first vote, Senator LANDRIEU be recognized for 5 minutes as in morning business prior to the recess.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. INHOFE. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Florida is recognized.

#### ASSEMBLY TO PROMOTE THE CIVIL SOCIETY IN CUBA

Mr. MARTINEZ. Mr. President, I rise today to discuss a very important sense-of-the-Senate resolution pending before the Senate. This resolution expresses support for a historic meeting taking place in Havana, Cuba, this Friday, May 20. It is called the Assembly to Promote the Civil Society in Cuba. This resolution expresses support for the courageous individuals who continue to fight for and advance liberty and democracy for the Cuban people.

I thank my colleague from Florida, Senator BILL NELSON, for partnering with me on this important effort. I also thank and commend the 23 other colleagues who have signed on to this bipartisan effort in cosponsoring this resolution.

For too long, the Cuban people have been starved of the precious freedoms so dearly cherished in the United States and in democracies around the world. This year, May 20 provides us with a unique opportunity to highlight and support efforts to advance liberty and democracy in Cuba.

I stress to my colleagues the tremendous valor and bravery of these pro-democracy advocates who are risking their lives pursuing their natural God-given freedoms that they continue to be denied.

Already there have been reports of disappearances, state security intimidation, and of infrastructure interruptions by the regime in order to stop this gathering. For someone to travel from one part of Cuba to another, within their country, citizens must seek the government's permission before doing so. Transportation is made more difficult and the ever-present Committees for the Defense of Revolution, which stand as government watchdogs in every neighborhood and on every street corner, provide even more intimidation and fear to those who seek to attend this gathering.

May 20 has long marked an important day for the Cuban people. It was on this day in 1902 that the island first gained its independence. This is a particularly poignant moment in history, when the United States fought side by side with the Cuban people as they sought to throw off the yoke of colonialism. After 4 years of building a governmental structure and helping the Cuban people to gain its governance, in 1902 the United States ceded independence to the people of Cuba. It was on May 20, 1902, that took place. This is what we currently are looking for, for the Cuban people to be allowed to celebrate. The current Cuban Government prefers to celebrate other dates more in

keeping with the beginnings of the dictatorship. But this day ought to be remembered because of the importance it carries.

This year's Cuban Independence Day is historic. The people of Cuba are on the road to transition. The historic gathering this week of prodemocracy advocates demonstrates that Cubans are increasingly losing their fear and vocalizing their desire to be architects of their own destinies and of their own future. This peaceful demonstration, a simple display of freedom of assembly and speech, represents an unprecedented partnership for over 360 prodemocracy and civil society organizations from all walks of life. Their focus will be on bringing democracy, liberty, and a respect for basic human rights to this island nation.

The fact is, the Cuban Government has one of the worst human rights records in the world. There is a complete lack of human rights available to the Cuban people under the tyranny of this repressive regime. They continue to deny universally recognized civil liberties, including freedom of speech, association, movement, and of the press. Freedom of religion is also denied.

As the recently released State Department report, "Supporting Human Rights and Democracy, The U.S. Record 2004-2005," relates:

[T]he Cuban Government ignored or violated virtually all of its citizens' rights, including the fundamental right to change their government. Indeed, the Government has quashed all efforts to initiate a public debate on how Cuba can prepare for a peaceful transition.

Just last month the United Nations Human Rights Commission once again condemned Cuba for its human rights record.

Let's begin with labor rights. The Cuban Government has been cited by the International Labor Organization and scores of governmental and non-governmental organizations worldwide for its gross violations of human rights. With a state-controlled economy, the Government is the only source of jobs, and it exercises very strict control over labor policies. Specifically, as the 2004 human rights report relates:

The foreign investment law denies all workers except those with special government permission the right to contract with foreign companies investing in the country.

Further:

[The] government required foreign investors and diplomatic missions to contract workers through state employment agencies, which were paid in foreign currency, but which in turn pay workers very low wages—

In the local currency. Typically, these workers receive 5 percent of the salary paid by the companies to the State, and the workers receive worthless pesos while the company pays the governor in dollars. In 2003, average salaries, for those lucky enough to be employed, equal about \$10 a month. Yet within the last year these salaries

have fallen even further. In an attempt to reassert stricter control, the Castro regime has outlawed use of the U.S. dollar, thereby diminishing the value of Cuban wages even further. New directives have also been issued regarding the tourism industry, so as to impose additional control over the actions of tourism workers.

At the same time, the Cuban Government has steadfastly rejected international human rights monitoring. As the 2004 State Department human rights report says:

The Government steadfastly rejected the human rights monitoring. Since 1992, the Government has refused to recognize the mandated UNCHR on Cuba, and despite being a UNCHR member, refused to acknowledge requests by Christine Chanet, the Personal Representative of the Commissioner on Human Rights to visit the country.

It is critical we offer our bipartisan support to the patriotic participants of the May 20 gathering on the island, as well as to the many brave men, women, and children who continue to challenge tyranny and oppression.

They need and deserve our support. These past few weeks alone, the news is reporting that the regime has begun rounding up young people for preventive security measures. The median age is 18, and 95 percent are Afro-Cuban. Specifically, our resolution includes four principal messages: First, that the Senate extend its support in solidarity to the participants of this historic meeting in Havana; second, that the Senate urges the international community to support the assembly and its mission to bring democracy and human rights to Cuba; third, that the Senate encourages the international community to oppose any attempts by the Cuban Government to repress, punish, or intimidate the organizers or participants of the assembly; and fourth, that the Senate shares the prodemocracy ideals of the assembly to promote civil society in Cuba and believes that the assembly and its mission will advance freedom and democracy for the people of Cuba.

The international community plays a very large role in helping prodemocracy movements, much as it did in Eastern Europe.

As President Bush recently remarked in his Second Inaugural Address:

All who live in tyranny and hopelessness can know the United States will not ignore your oppression or excuse your oppressors. When you stand for liberty, we will stand with you.

That is what this resolution is all about—standing with the participants of the May 20 assembly and standing with the brave men and women who continue to live in tyranny and hopelessness. When you stand for your liberty, we will stand with you. Our country's history has allowed us to observe the struggle of impatient patriots such as Frederick Douglass, Abraham Lincoln, and Martin Luther King and the mission they undertook to bring us closer to our democratic ideals.

These prodemocracy advocates today, these Cuban heroes, are today's

patriots, and I have faith in them and the important mission they have undertaken. I stress to my colleagues the tremendous valor of those folks who are today struggling for the God-given freedoms they continue to be denied.

The new democracies around the world are standing for freedom and are eager to be a voice in the struggle for transition in Cuba. Our eyes should all be on Havana this Friday to witness this historic event. It is a hopeful time for the Cuban people. I am inspired by their efforts and their bravery. We applaud their strength and their unity as they gather to fight for freedom and basic human rights.

I yield the floor.

The PRESIDING OFFICER (Mr. CHAFEE). The Senator from Florida.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent I be allowed to speak for 5 minutes on the resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON of Florida. Mr. President, I join my colleague from Florida and a number of other colleagues who have sponsored this resolution. This is a historic time for Cuba. The U.S. Government is redoubling its commitment to freedom and democracy around the world. We are watching as people around the globe demand accountability from their leaders, and the ability to participate in free, fair, and open elections. The winds of freedom are not only blowing in the Middle East but also closer to home, near to our blessed shores of Florida—in fact, only 90 miles away from Key West.

Despite the horrific crackdown in 2003, Cuban civil society and political dissidents continue to meet and to carry out small actions to express their views on a daily basis. This takes courage. The wives of imprisoned dissidents march silently every Sunday following church services. They are known as the Ladies In White. They march largely unopposed, despite attempts to intimidate and to pressure them.

A counterprotest was organized. It was organized once, but that counterprotest has not been repeated.

This is just one of many examples of the Cuban people organizing in small groups, showing that Fidel Castro does not have the full support of his people and that all people of the world, including Cubans, desire to be free.

A few of the dissidents rounded up in that 2003 crackdown have since been released because of the severity of their medical condition. Their time served in Cuban jails has not curtailed their desire to bring freedom to the people of Cuba. One of those individuals, Martha Beatriz Roque, continues her struggles unfazed by the experiences of a summary trial and then imprisonment. And despite the fact that she runs the risk every day of being returned to jail, she continues to fight for basic rights and she continues to organize dissidents working towards the ultimate goal of freedom.

In an effort to heighten the level of international attention—attention to those brave souls' efforts—and in an effort to continue to create greater common cause among the groups of people on the island, the Cuban dissidents are organizing this assembly to promote civil society in Cuba. Over 300 civil society groups are expected to be represented at the meeting. The goal of the assembly is to discuss how they will play a role in the transition after the end of the Castro regime. This end is approaching. The clock is ticking. We must be ready, both on the island and around the world, to ensure that Cubans have the opportunity to freely and fairly choose their successor government.

Senator MARTINEZ, my colleague from Florida, and I, along with 20 colleagues, are encouraging the Senate to support this resolution, and in supporting this resolution, therefore, to support this assembly, its participants, and all civil society on the island, and to do it in a bipartisan fashion.

This resolution is an effort to bring international attention to the assembly and to all members of civil society on the island of Cuba. These are brave individuals who deserve our support every day, not only on these memorable and momentous occasions but every day in respect for what they have endured as their liberty has been taken away from them.

We want that liberty to return. Our thoughts and prayers will be with all these individuals.

I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration H.R. 3, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 3) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

Pending:

Inhofe amendment No. 605, to provide a complete substitute.

Allen/Ensign amendment No. 611 (to amendment No. 605), to modify the eligibility requirements for States to receive a grant under section 405 of title 49, United States Code.

Sessions Modified amendment No. 646 (to amendment No. 605), to reduce funding for certain programs.

Reid (for Lautenberg) amendment No. 619 (to amendment No. 605), to increase penalties for individuals who operate motor vehicles while intoxicated or under the influence of alcohol under aggravated circumstances.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I am very happy we finally got to this point.

We are operating under unanimous consent at this time.

We will have for the next 45 minutes a discussion and then a vote on the Allen amendment at 12 o'clock. We will have this 45-minute period of time to talk about the highway bill, and hopefully we can confine arguments to that, with the exception of 5 minutes for Senator LANDRIEU right before the vote takes place.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

#### AMENDMENT NO. 611

Mr. ALLEN. Mr. President, I thank my colleague from Oklahoma. I am glad we are going to be voting on my amendment around noon. I had thought it was going to be 11:30, but it is now noon.

Let me share with my colleagues the rationale behind amendment No. 611 to the underlying bill.

I first thank my colleague, Senator ENSIGN of Nevada, for cosponsoring this amendment. The purpose of my amendment is to make sure that safety belt incentive grants are awarded based on a State's seatbelt use rate, not based upon a prescriptive mandate from the Federal Government that would make the States enact a primary seatbelt law to receive their Federal funds.

The way this bill came out of committee, in effect, for the States to get their money, they have to enact a primary enforcement seatbelt law. Seatbelt laws generally, whether you have a law such as 29 States do, which is secondary enforcement, or in some cases not even secondary enforcement laws, or some States have primary enforcement laws, this is an issue under the purview of the people in the States.

This is not an issue for the Federal Government to get involved. This is not an issue of civil rights. It is not an issue of interstate commerce. It is not in the Constitution. There is no way Thomas Jefferson and James Madison would ever envision the Federal Government worrying about such matters. I know they did not have automobiles in those days, but they were not coming up with worries about what kind of saddles they had or making sure folks on horseback laced up their saddles correctly with a buck and strap or whether there were seatbelts on buggies.

The underlying bill clearly tramples on the jurisdiction that has long been held by the people in the States. I don't believe "nanny" mandates such as this initiative should come from Government. But if they must, the government should be that of the State legislature and not the Congress. State legislators provide a much closer representation of the views and beliefs of their respective constituencies in our country.

I am a firm believer that the laws of a particular State reflect the philosophy and principles under which the citizens of that State should be gov-

erned. The people in the States do not need fancy Federals telling them what to do. Moreover, I doubt a single Senator ran for this office of Senator promising to enact primary seatbelt laws, trampling on the laws of their States.

This chart shows a minority of States, 21 States, the States in red, have primary safety belt laws; 29 States do not, the States in white on the chart, and New Hampshire. I surmise this issue has been considered by every one of the State legislatures in all our 50 States. In 29 of those States, primary enforcement of seatbelt laws was rejected.

Why were they rejected? Each State may have their own reasons. Some may believe it is more important for law enforcement to worry about drunk drivers or impaired drivers rather than craning their necks trying to figure out what is in someone's lap as they are driving otherwise safely down the road. There are others that may have concerns about driving while black, a concern of racial profiling. Regardless of the reasons, 29 States have rejected primary seatbelt laws.

Given that a majority of the States has declined such laws, it seems inappropriate for the Federal Government to devise a grant program that essentially compels the States to enact primary enforcement laws, and if they do not, they lose Federal gas tax dollars the people in these States paid into the Federal highway trust fund.

My amendment revises the Occupant Protection Incentive Grant Program to grant awards on 85-percent belt use rate—the national average is about 80 percent. Eighty-five percent would, of course, be a significant increase. People are safer wearing seatbelts. It is a good idea to wear seatbelts, but instead of compelling States to enact primary seatbelt laws, the grants should be awarded solely on seatbelt use attainment. The point is to get people to wear seatbelts, not to have prescriptive micromanagement from the Federal Government.

For me, it is difficult to understand the logic of an incentive program that provides Virginia, with its high safety belt use, far less funding than a State with far lower seatbelt use rate but with a primary seatbelt law. Yet that is entirely possible under this bill if the State with a lower seatbelt use rate has enacted a primary seatbelt law.

For example, a State could have 70-percent seatbelt usage and receive Federal funds under this grant program only because it has enacted a primary seatbelt law. However, another State could have 89-percent seatbelt usage rate but not qualify for this grant funding because it does not have a primary seatbelt law. That makes absolutely no sense unless one is an officious meddler who wants to dictate and meddle in the prerogatives of the people in the States.

If the goal is to attain higher safety belt usage rates, incentive grants